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09/955662  
09/19/01

# CONTINUING PATENT APPLICATION TRANSMITTAL

Assistant Commissioner for Patents  
Washington, D.C. 20231  
BOX PATENT APPLICATION

Attorney Docket No.: PA792C1  
Date: 09/19/2001  
Express Mail Label No.: EL902898909US

Transmitted herewith for filing is a:

☒ Continuation ☐ Divisional ☐ Continuation-in-part (CIP)

Inventor(s): Edward G. Tiedemann Jr., Stein A. Lundby

For: METHOD AND APPARATUS FOR MAXIMIZING THE USE OF AVAILABLE CAPACITY IN  
A COMMUNICATION SYSTEM

Prior application information:

Examiner: S. Nguyen Group Art Unit: 2664  
Serial No.: 09/264,435 Filed on: 03/08/1999

Inventor(s): Edward G. Tiedemann Jr., Stein A. Lundby

For: METHOD AND APPARATUS FOR MAXIMIZING THE USE OF AVAILABLE CAPACITY IN  
A COMMUNICATION SYSTEM

Enclosed are:

- ☒ Patent application (31) total pages.
- ☒ Drawings: ☒ Formal (5) sheet(s) or ☐ Informal ( ) sheet(s).
- ☒ Declaration/Power of Attorney: ☐ Signed ☐ Unsigned ☒ Copy from prior application.
- ☐ An Assignment ( ) pages and Recordation Form Cover Sheet.
- ☐ Deletion of Inventor(s). Signed statement attached deleting inventor(s) named in the prior application.
- ☒ A Preliminary Amendment (3) pages.
- ☒ Information Disclosure Statement (IDS):
  - ☒ PTO-1449
  - ☐ Copies of IDS Citations (number of citations: )
- ☐ Other:

CLAIMS:	(a) Filed	(b) Extra Claims	Large Entity Fee	Fee Paid
Total*	17-20	0	x \$18 =	\$0.00
Independent**	4-3	1	x \$80 =	\$80.00
Multiple Dependent Claim(s): <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes			\$270	\$0.00
APPLICATION FILING FEE			\$710	\$710.00
			TOTAL FEE	\$790.00

\*If the number in column a is less than 20, enter 0 in column b.  
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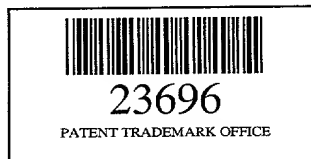
- ☐ A check in the amount of \$\_\_\_\_\_ is enclosed to pay the filing fee.
- ☒ Please charge Deposit Account No. 17-0026 of QUALCOMM Incorporated in the amount of \$790.00. The Commissioner is hereby authorized to charge payment of any additional fees which may be required, or credit any overpayment, to said Deposit Account No. 17-0026. A duplicate of this sheet is enclosed.
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Date: 09/19/2001

Signature:

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**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In Re Continuation Application	) For:	METHOD AND APPARATUS
	)	FOR MAXIMIZING THE USE
TIEDEMANN JR. et al.	)	OF AVAILABLE CAPACITY
	)	IN A COMMUNICATION
Customer No. 23696	)	SYSTEM
Attorney Docket No. PA792C1	)	
	)	
Filed: HEREWITH	)	

**CERTIFICATE OF MAILING UNDER 37 CFR § 1.10**

Assistant Commissioner of Patents  
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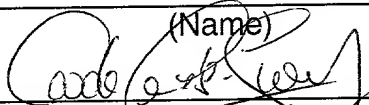
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ENCLOSED ARE:  
TRANSMITTAL LETTER IN DUPLICATE;  
PATENT APPLICATION (31 pg.); COMBINED DECLARATION/POWER OF ATTORNEY (COPY OF ORIGINAL Filed Signed DECLARATION);  
\_5\_ SHEETS OF FORMAL DRAWINGS; INFORMATION DISCLOSURE STATEMENT, PTO-1449 FORM (IN DUPLICATE) – LIST REFERENCE;  
CERTIFICAT OF EXPRESS MAIL; and  
POSTCARD.

Carola Emelius-Swartz

(Name)  
  
(Signature)

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